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20th Anniversary of Soviet-Led Invasion of Czechoslovakia Remembered

Twenty years ago this August, the Soviet Union, aided by Warsaw Pact troops from Bulgaria, East Germany, Hungary and Poland, invaded Czechoslovakia and put an abrupt end to what has become known as "the Prague Spring." The Prague Spring, begun in April of 1968, was a movement to humanize the repressive Communist system as it had developed in Czechoslovakia. Led by Alexander Dubcek, the movement never challenged the fundamental tenets of Marxism and never questioned Czechoslovak loyalty to the Soviet Union or to the Warsaw Pact military alliance. Rather, the movement's leaders merely hoped to create a Socialist democracy which could guarantee the observance of fundamental human rights, in short, "socialism with a human face."

Attempts to create an independent judiciary, to introduce multiple-choice, secret-ballot elections, and to distance the Communist Party from the operations of the Government proved to be too much for the Brezhnev leadership then in power in the Kremlin. On the night of August 20, 1968 and in the early light of the 21st, the Prague Spring met a premature death and the Brezhnev doctrine of limited sovereignty was born. Since then, the leadership of Czechoslovakia has followed a path of so-called "normalization," according to which all elements of social and political life are tightly controlled by the ruling authorities.

In August, Czechoslovaks gathered in Prague to remember the Soviet-led invasion and commemorate the Prague Spring. In what came as a surprise to both the authorities and many members of the opposiiton, approximately 10,000 people spontaneously joined together to march through Prague chanting "Freedom," "Russians go home" (a reference to the estimated 80,000 Soviet troops which remain in Czechoslovakia), and "Long live Dubcek." This was the largest independent political gathering in Czechoslovakia since 1969.

In London, a joint statement representing 25 different independent East European groups was issued, calling for Communist leaders to denounce the invasion. This appeal is part of the larger trend towards pan-East European activism which has developed over the last year.

In Moscow, official silence on the invasion was enforced by the presence of National Guard troops in the streets. Still, at least several dozen protesters were undaunted enough to attempt to raise banners critical of the invasion. They were quickly detained by the Guard. Although General Secretary Gorbachev has hinted that Moscow has a new line towards the invasion, there has not yet been an unequivocal renunciation of the Brezhnev doctrine of limited sovereignty.

In a Congressional Record statement of September 21, Chairman Hoyer made the following observations on the future of Czechoslovakia:

"It is ironic that the breezes of reform should now be blowing into Praque from the U.S.S.R., the forces that 20 years ago put the country on its current bleak path. Nevertheless, one of the greatest hopes for change in Czechoslovakia comes from the Soviet Union, where the pressing urgency for overhaul of the political and economic system has been openly acknowledged by the authorities and reform, spearheaded by General Secretary Gorbachev, has begun.

"So far, however, Milos Jakes, who replaced Gustav Husak in December 1987 as the leader of Czechoslovakia's Communist Party, shows no indication of following Gorbachev's lead beyond cautious, probably inadequate, reform of the economy's rigid central planning machinery and the trimming of the bloated bureaucracy.

"Yet Jakes has to deal with pressure not only from Moscow, but also from inside Czechoslovakia. Opposition groups like Charter 77 have endured despite official harassment. A renewal of activism among Catholic believers and the resultant revived dialogue between the church, party, and the Vatican has pushed the regime to be more flexible in the area of religious rights.

"In 1968, the valiant attempt of the Czechoslovak people to gain control of their own destiny was crushed by tanks and soldiers. It is now 1988, and if today the Czechoslovak regime hopes to revive its flagging economy, it must seek and win the trust of the Czechoslovak people."

Commission Welcomes New Members

We are pleased to announce the appointment of two new Executive Branch Commissioners, from the Departments of Commerce and Defense.

Louis Laun has been confirmed by President Reagan as the Department of Commerce's representative to the Commission. Since 1986, Mr. Laun has been the Assistant Secretary for International Economic Policy. Previously, he was Deputy Assistant Secretary of Operations for the U.S. Foreign and Commercial Service at the Commerce Department, as well as serving as president of the American Paper Institute.

Ambassador Ronald Lehman II has recently been appointed as the Defense Department's representative to the Commission, but is awaiting final Presidential confirmation. Ambassador Lehman currently serves as the Assistant Secretary of Defense for International Security Policy. His responsibilities include NATO and European defense policy, cooperation and security assistance, U.S. nuclear policy, arms control, and technology transfer programs. Previously, he served as the U.S. Chief Negotiator on Strategic Nuclear Arms (START) at the U.S.-Soviet talks in Geneva. Prior to that he served as Deputy Assistant to the President for National Security Affairs (Defense Policy).

With these appointments, the Commission now has its full complement of 21 Commissioners, as mandated by law. The other Commissioners include: Representatives Steny Hoyer, Chairman; Dante Fascell; Edward Markey; Bill Richardson; Edward Feighan; Don Ritter; Christopher Smith; Jack Kemp; and John Porter. The Commissioners from the Senate are: Dennis DeConcini, CoChairman; Frank Lautenberg; Timothy Wirth; Wyche Fowler; Harry Reid; Alfonse D'Amato; John Heinz; James McClure; and Malcolm Wallop. Ambassador Richard Schifter serves as the Department of State's representative on the Commission.

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Soviets Issue New Decrees on Demonstrations

The Supreme Soviet Presidium recently issued two new decrees on demonstrations. The first, passed on July 28, states national standards for organizing and holding public meetings. The second, passed on July 29, sets penalties for violations of the new policy in the RSFSR. In a break with past procedure, republic and local party leaders will have considerable leeway in applying the first decree and in setting the terms of the second.

The decree on demonstration policy, formally titled the "July 28 Supreme Soviet Decree on Procedure," begins by affirming constitutional guarantees on the right of the citizenry to hold "meetings, rallies, street marches and demonstrations." The law then sets forth the new procedure, noting the following steps: 10 days before the event the organizers must apply in writing for a permit to the local Soviet Executive Committee. The application must include the purpose, place, route, and time of the event; the number of participants; and the names of and background information on the organizers. Applications must be made by "authorized representatives" of labor collectives, institutions, cooperative, or voluntary public organs; or individual groups of citizens.

The Soviet Executive Committee must "inform" organizers at least 5 days before the event of its decision. It can change the event's time and place, but its decision may be appealed. It can also ban a demonstration if "its purpose is contrary to the USSR or Union Constitutions" or if it "is a threat to public order."

A demonstration in progress "must be stopped" at official request if no permit application was submitted beforehand, there was a prior decision to ban the event, the participants break regulations, or if they disturb the peace. State authorities and citizens have no right to hinder demonstrations which are in compliance with the law.

The companion decree, the "July 29 Decree on Breach of Procedure for Public Meetings," deals with punishments for violations of the mandated demonstration procedures.

Administrative penalties for the first violation of the regulations by a participant in a demonstration are a warning, a fine of up to 300 rubles, or, in "exceptional cases," an administrative arrest for a maximum of 15 days. Furthermore, in imposing an administrative punishment, a judge may expel a non-resident offender from the locality, and the offender must bear any resultant expenses.

In the case of a demonstrator who incurs repeated violations within 1 year after the first penalty, or violations by an organizer of a demonstration, the penalties include a fine of up to 1,000 rubles, corrective labor for 1 to 2 months with the deduction of 20 percent of the prisoner's earnings, or administrative arrest for a maximum of 15 days. For repeated infringements, the law calls for the imposition of criminal sanctions, which include the "deprivation of liberty" for as long as 6 months, corrective labor for a maximum of 1 year, or a fine of up to 2,000 rubles.

A preliminary analysis indicates that in some ways the new decrees on demonstrations represent an advance over past Soviet laws. One key point here is the explicit reference to the right of "individual groups of citizens" to apply for demonstration permits. Moreover, the penalties under the new decree, although severe, are graduated and seem to put more emphasis on fines than on imprisonment. In addition, the length of the prison sentences, which are very long by Western standards, are shorter than those decreed under Brezhnev.

The new decrees, however, also possess some negative aspects. First, there is the problem of ambiguity: Whom will the authorities recognize as the "authorized representatives" of groups applying for permits? Second, the permit application's data requirements are burdensome, and the fines for violations, although surely better than imprisonment, are onerous for the average Soviet wage earner.

Then, of course, the Soviet Executive Committee can deny without appeal an application if it determines that the meeting's aims violate constitutional precepts, which include a litany of vaguely defined party and "working people's interests." As a result, this last provision of the penalties decree provides the Committee with convenient justifications for withholding permission for demonstrations deemed undesirable by the Government.

At this point, it is simply too early to make a conclusive judgment about the impact of the new decrees on the Soviet authorities' handling of demonstrations. However, if the Soviet Union continues to experience massive demonstrations, similar to those which have recently taken place in the Baltics and Armenia, then it will be interesting to see how the new regulations are applied in practice.

Human Rights in Hungary

On August 11, a Congressional Record statement by Helsinki Commission Cochairman Dennis DeConcini reviewed Hungary's human rights and emigration picture during the past year in light of the annual congressional review of Hungary's Most-Favored-Nation (MFN) trade status.

Hungary has enjoyed MFN status on its exports to the United States under the terms of section 402 of the 1974 Trade Act – the Jackson-Vanik amendment – which links such status for non-market economy countries to their emigration performance.

The Cochairman noted that "there have been some positive developments in Hungarian performance which may warrant the extension of MFN for another year." He cited as examples the continued resolution of all bilateral family reunification cases, a new passport law which has led to a substantial increase in the number of Hungarians travelling abroad, and an announcement that alternative service will be provided next year to those objecting to military service.

At the same time, DeConcini noted "continuing violations of Hungary's Helsinki and Madrid commitments which deserve our attention, especially in light of some signs that the Hungarian leadership may take a hardened line toward dissent." Among the violations mentioned were the continued denial of passports to select individuals because of their political activity, large police raids of several apartments and the confiscation of independently published materials and printing equipment in March, and the breaking up of a June 16 demonstration commemorating the execution of Imre Nagy and others for their involvement in the 1956 Revolution. Cochairman DeConcini concluded that, while human violations in Hungary may be "mild relative to those taking place in other East bloc states, they are violations, nonetheless, and I urge the Hungarian Government to bring its practices into line with its Helsinki and Madrid commitments."

Human Rights Conference Held in Poland

During the recent 20-day wave of strikes in Poland, which stretched from the Baltic coast in the north to the Silesian coal fields in the south, a human rights conference took place undisturbed in a church in Nowa Huta. Attracting hundreds of participants from Eastern and Western Europe as well as the United States, the August 25-28 conference was organized independently of the Polish Government by the Intervention and Lawfulness Commission of Solidarity and the Freedom and Peace Movement. One of the stated purposes of the conference was to exchange information on the condition of human rights among nations and to create a community body of opinion and action in order to exert pressure on governments to respect the human rights of all individuals.

Lech Walesa, as honorary chairman of the conference, was to have opened the event, but, as was explained in a letter from *Walesa* read by a representative, "his absence was mandated by a higher necessity, for with friends and colleagues, the shipyard and port workers of Gdansk, he was taking part in a strike whose purpose is to spread human rights, civil and political." Walesa went on to say that "human rights are common to all people -- regardless of ideology, race, or belief. Basic to those rights is the workers' right to organize freely by forming independent trade unions." Walesa concluded, "it would seem that in this part of the world the totalitarian era, which was built on the systematic violation of human rights, is drawing to a close."

Throughout the conference, emphasis was placed on political pluralism and trade unionism. Participants also addressed the mass demonstrations in Budapest, the strikes in Poland, the growing unrest in Romania, the cries for democracy in the Soviet Union, and demands for religious tolerance in Czechoslovakia.

Calls were made by many of the speakers for free elections, restoration of religious freedom and preservation of historical villages in Romania. Appeals were issued for help in opposing Ceausescu's planned mass destruction of villages, with one speaker concluding that under the rule of the Romanian President "not even nature is safe from Ceausescu's plans of insanity."

Several members of the "democratic opposition" in Hungary spoke at the conference. Wearing buttons emblazoned with the numbers 5681, the speakers characterized the events of '56, '68, and '81 as symbolic of the growing struggle for democracy and national independence. Environmental concerns were touched upon as well, as one participant urged all to join in a day of protest scheduled for October 30 at 2 p.m. over the Gabcikovo-Nagymaros Dam project on the Danube.

On a positive note, a Charter 77 spokesperson detailed how the recent demonstrations in commemoration of the 20th anniversary of the 1968 invasion attracted 10,000 people, many of whom were in the age group of 20-25, all too young to remember the events of that year. Then, in a reminder to the audience that human rights questions have broader applicability than just Eastern Europe, a representative of a Caribbean human rights organization spoke of the need to maintain the integrity of the international human rights movement by seeking human rights for all, regardless of nationality or color.

Sympathy for the Polish strikers of this year's second big round of strikes in which legalization of Solidarity was a central demand, was expressed by representatives from the Free Italian Trade Union and the Netherlands Confederation of Trade Unions. Polish strikers appeared at the conference under a cloud of pessimism. Widespread expressions of dissatisfaction with the government's failure to stem deteriorating living conditions and to recognize Solidarity were evident. On the last evening of the conference, August 27, it was announced that the Jaruzelski government had indicated a willingness to open talks with union leaders including Lech Walesa.

The Human Rights Conference concluded with a general consensus to hold another such meeting, with the exact forum to be decided later. The venue will depend on the political conditions within the prospective host nation.

Romanian Message Sent to Krakow Conference

A message signed by outspoken Romanian human rights activist Professor Doina Cornea and 12 other Romanian citizens was sent to the August 25-28 Krakow Conference on Human Rights. It is a moving appeal to reason and civilization:

"Local villages, as a whole, are the property of the nation which has for centuries been the master worker who created them. No one has the right to touch them as one pleases. Romanian villages have been and remain the spiritual foundation of our country insofar as the rural way of life gives each nation its cultural distinction.

"Consequently we are asking the Romanian Government to stop the destruction of villages and the rural systematization it has conceived, for this plan destroys our traditional architecture and the way of life that flows from it. Insofar as this program, which is being put into effect now, attacks our identity -- our manner of existence in the world -- we ask that the entire nation be informed beforehand and in detail about the specifics of the plan: the exact number and names of the villages slated for destruction as well as models of all the new structures scheduled to be incorporated into the remaining villages. A number of the localities threatened with mutilation or destruction witnessed the birth of certain styles, the rise of churches and irreplaceable monuments, and were the sites of important historical events.

"Once the above-mentioned data are published -- as is the practice in any state that declares itself democratic and civilized -- we ask that the plans in question be submitted to a national referendum. Only the result of this will represent the free and entire expression of the nation as a whole."

Helsinki Human Rights Day, 1988

ongressional legislation designating August 1, 1988 as "Hel- Human Rights Day" was unanimously passed by both the se and the Senate and signed by the President becoming 100-377. This was the fifth consecutive year that Congress set aside August 1 in recognition of the signing of the Hel- Accords on that date in 1975.

in past years, Cochairman Dennis DeConcini sponsored resolution in the Senate with more than 60 of his col- ues. In introducing the resolution, the Cochairman stated, gressions against freedoms which are the inherent right of individual must not be tolerated in any context. When occur as a result of domestic policies by nations which publicly agreed to protect and honor the fundamental n rights of their citizens, we must make an equally public ment that we expect them to live up to their international ments." Identical legislation was introduced by Chairman along with all the House Members of the Commission.

ddition to commemorating the signing of the Accords, the ation requests the President to convey to the other 34 sig- states the insistence of the United States for a balanced at the Vienna Follow-Up Meeting of the Conference on ity and Cooperation in Europe, that will not favor military ity at the expense of human rights.

at follows is the text of the proclamation issued by Presi- Reagan in commemoration of Helsinki Human Rights Day.

irteen years ago, 33 European states, the United States anada signed the Helsinki Final Act of the Conference on ty and Cooperation in Europe. In so doing, we and the signatories undertook a sacred commitment to the princi- f freedom, self-determination and human dignity. The Hel- Final Act acknowledged the fundamental interrelationship an rights, economic relations and security considerations overall conduct of affairs within and among states. The Act recognized that there can be no true international se- without respect for basic political and civil rights; that eco- ties can contribute to security, but only if based upon elations among peoples; and that security and confidence o be improved through the free exchange of information.

t historic meeting in Helsinki has spawned a dynamic s that we in the United States regard as one of the most nt developments in East-West relations in the post- War II period. That work begun at Helsinki to eliminate riers that divide East and West has been carried on in three follow-up meetings during the intervening years. At present we are working with the delegations from all the signatory states in Vienna to advance our cherished objectives of freedom, openness and security.

"While progress has occurred in reducing tensions between East and West, the Soviet Union and other states of the East have not fully lived up to the commitments undertaken at Helsinki. Respect for human rights in these countries continues to fall far short of the standards set forth in the Final Act, as well as in the document issued at the conclusion of the Madrid Review Conference in 1983. Freedom of movement, conscience and religion are still shackled by unreasonable and arbitrary government controls. Individuals such as Ukrainian Helsinki monitors Ivan Kandyba and Ivan Sokulsky and Lithuanian Catholic priest Sigitas Tamkevicius, whose only crime was to monitor the Soviet Government's compliance with the Helsinki Act and speak out on behalf of political and religious freedom, remain in labor camps. The free flow of ideas and information from abroad and within Eastern Europe is still impeded.

"A few short weeks ago I stood in Finlandia Hall, the historic building in which the Helsinki Final Act was signed. I reiterated the commitment of the American people to continue to work to bring down the barriers that have so cruelly divided the European continent for four decades. However, it bears reminding that those barriers were erected by the East, and so much of the demolition work will necessarily fall to those states. We are encouraged by recent hopeful pronouncements coming from the Soviet Union and its allies; we await further concrete progress in the treatment of all individuals in the Soviet Union and Eastern Europe and positive steps in the Vienna Meeting to give those pronouncements substance.

"It is appropriate that we mark this 13th anniversary of the signing of the Final Act by setting aside a special day to reflect upon and to renew our dedication to the values of human dignity and freedom embodied in that farsighted document. On this occasion, we call upon all signatories of the Final Act to honor-in-full its solemn principles. Let us pledge to spare no effort in striving toward this goal."

Editor's note: Since the President's proclamation, the Commission has learned that Ukrainian Helsinki monitors Ivan Kandyba and Ivan Sokulsky have been released from labor camp.

Update on Crimean Tatar Situation

read protests among Crimean Tatars continue, and thorities have responded with beatings and fines to the ations and strikes in Uzbekistan and the Krasnodar

r, a recent court case against two Crimean Tatar fam- bought houses in the Crimea is illustrative of the even actics which the Soviets have also employed in order he unrest. In August, in an act reminiscent of the re- measures used against the Crimean Tatars in 1978, a Sake, Crimea sentenced Aidar Kaltakli and Mandet to 9 months imprisonment for "violation of passport regulations." Earlier this year, the two men had bought houses, but when they requested the required residence permits, they were refused. Hence, they were in violation of the passport laws.

This ruling also calls into question the recent Soviet decision that Crimean Tatars will be allowed to return to the Crimea. It suggests that secret passport restrictions on the movements of Crimean Tatars are still in effect; otherwise, it is difficult to see why they were refused residence permits. As a final blow, Procurator Burova ruled that the families of the two defendants were to be expelled from the Crimea within 2 months of the court sentence.

Implications of Trade Law on East-West Trade

On August 23, President Reagan signed into law new trade legislation, which has been characterized as the most sweeping reform of U.S. trade policy ever. Covering a wide range of trade-related issues, the new law contains several provisions of particular relevance to East-West trade.

One such provision requires the United States to block state-trading regimes, such as the Soviet Union, from joining the General Agreement on Tariffs and Trade (GATT) unless they first agree to trade on a free-market basis. In August 1986, the Soviet Union requested observer status at the Uruguay round of trade talks under the auspices of the GATT, which currently governs the trade of more than 90 nations worldwide. This move, representing a dramatic change in Soviet attitude toward the GATT, is seen as part of General Secretary Gorbachev's effort to increase Soviet exports of manufactured goods, machinery and equipment, thereby generating the hard currency needed to purchase goods from the West. Many in the West, however, argue that the current, restrictive Soviet system of trading is fundamentally at odds with the free-trade principles of the GATT, and that Soviet participation may politicize the economic entity.

Another provision of the law makes the denial of workers' rights an unfair trade practice, subject to retaliation under section 301 of the 1974 Trade Act. Workers rights would include the right of association, the right to organize and bargain collectively, freedom from forced labor, a minimum age for working children and standards for minimum wages, working hours and occupational safety and health. Classified as an "unreasonable," as opposed to "unjustifiable," trade practice, retaliation through the use of tariffs and quotas is not mandatory, as the denial of workers' rights would not constitute a violation of a trade agreement or of international laws governing trade.

Instead, retaliation is at the discretion of the United States Trade Representative, which has been given the authority to decide unfair trade cases. A separate provision of the law requires the Secretary of State to report to the Congress within 6 months on ways to improve and provide more detailed reporting on the status of workers' rights.

The new trade law also imposes sanctions on the Toshiba Corporation of Japan and the Kongsberg Vaapenfabrikk of Norway for the illegal sale of technology to the Soviet Union, which was subsequently used to improve Soviet submarines. The U.S. Government is prohibited from purchasing goods from these companies for 3 years, unless the goods are defense-related or spare parts are not otherwise available. The subsidiaries of the two companies that were directly responsible for the illegal sales are prohibted from selling goods anywhere in the United States for 3 years, and import bans, ranging from 2 to 5 years, against companies that violate international export controls in the future will become mandatory.

U.S. export controls have been modified by the law, eliminating licenses for the export of certain goods under specific conditions and removing low-level technologies from the U.S. control list. In addition, U.S. controls on those goods not unique to the United States or subject to control under the Coordinating Committee on Multilateral Export Controls (COCOM), are to be eliminated. COCOM, an informal organization consisting of the United States, the other NATO members with the exception of Iceland, and Japan, coordinates controls on the transfer of technology that are necessary for overriding reasons of Western security.

Still another provision of the trade law repeals a ban, imposed in 1951, on the import of seven types of Soviet furskins: ermine, fox, kolinsky (Asian mink), marten, mink, muskrat and weasel. During the May 1985 meeting of the inter-governmental U.S.-U.S.S.R. Joint Commercial Commission, the first high-level trade talks since the Soviet Union invaded Afghanistan in 1979, it was announced that the U.S. administration would seek to lift the ban, but the lengthy debate on the trade bill prevented action until now.

One final provision of the trade law of direct relevance to East-West trade is the elaboration of a method for calculating the market value of goods from non-market economy countries, making it easier to make a determination regarding charges of dumping by these countries.

There are other provisions that may have implications on East-West trade as well, such as reauthorization of the Department of Agriculture's Export Enhancement Program, under which since 1986 the Soviet Union has been permitted to purchase surplus grain from the United States at subsidized rates. Another provision authorizes the President to suspend or halt the merger, acquisition or takeover of a U.S. firm by a foreign firm or citizen, if he finds that such a move would threaten national security.

The new trade law also establishes an inter-agency group on countertrade, to be chaired by the Secretary of Commerce, which will monitor foreign countertrade activities and relevant U.S. policies. Countertrade occurs when a buyer of goods insists on paying the seller with other products instead of hard currency. Although countertrade is practiced by countries around the globe, it has become a prominent feature of East European and Soviet trade with the West, especially in light of the Communist countries' increasing difficulties in generating hard currency. The problems created by Eastern demands for countertrade, as well as ways to solve these problems, have been a major issue in Basket II discussions at the Vienna CSCE Follow-Up Meeting.

Although not related specifically to East-West trade, the trade law authorizes several actions to be taken in regard to U.S. relations with Poland. It authorizes $1 million to implement the 1987 U.S.-Polish science and technology agreement, as well as $2 million to provide Poland, through private or voluntary organizations, with medical supplies and hospital equipment. It also directs the Secretary of Agriculture to donate surplus feed grain for sale in Poland, the proceeds from which are to be used by non-government agencies for specific projects in Poland. A U.S.-Polish Commission is to be set up to arrange the provision of U.S. aid to Poland.

Other U.S. laws affecting East-West trade not covered by the new law, such as the Jackson-Vanik amendment to the 1974 Trade Act, remain in force.

Romanian Human Rights Update

Summer traditionally has been the season when Congress has scrutinized Romania's human rights record in connection with the annual Most-Favored-Nation (MFN) status review. Because Romania renounced this status in February of this year, no MFN hearings took place. Yet Romania was the subject of much congressional attention this summer.

On July 28, Representative Robert Dornan introduced H. Res. 505, condemning the systematic violation of internationally recognized human rights by the Government of Romania. He was joined by 60 co-sponsors. And on August 11, the Senate unanimously adopted Resolution 461, introduced by Commissioner Frank Lautenberg, condemning Romania for its human rights abuses, particularly its plan to raze villages. In introducing the resolution, Commissioner Lautenberg noted that this plan "is only one part of an overall pattern in which the Romanian Government continues to violate the human rights of all of its citizens . . ." He went on to point out, "It has a sad history of denying ethnic minorities, among them 2.5 million Hungarians, Germans, Serbs, Croatians, Saxons, and Ukrainians, the right to preserve their unique cultural heritage and native language, and the right of their children to be educated in their native tongue."

Also on the House side, Chairman Steny Hoyer presented an update on human rights and human contacts-related developments in Romania since last summer. He pointed out that while legal Romanian emigration to the United States has declined over the past year, the flow of Romanian refugees fleeing into Hungary and other neighboring countries has turned into a flood.

Chairman Hoyer noted the Commission's continuing concern over prisoners of conscience and the state of religious and minority rights in Romania. President Ceausescu proclaimed two amnesties during the period in review, and one of them was particularly far-reaching. However, disturbing cases are still coming to light, including that of Baptist Nesto-Corneliu Popescu, who has been incarcerated in a psychiatric facility since October 1987 because of his outspoken criticism of Romanian policies. Popescu, his family and Western diplomats familiar with the case maintain that he is sane.

Hoyer pointed out that Romania's economic situation continues to deteriorate. While hunger and malnutrition have taken hold in the population, President Ceausescu is proceeding with a costly modernization campaign with the stated goal of placing urban and rural conditions on an even level. Unfortunately, that level will be exceedingly low.

Copies of a more detailed Commission update on human rights in Romania are available on request.

Commission Holds Briefing with Soviet Pentecostal Activists

Two Soviet Pentecostal emigration leaders, Boris Perchatkin and Vitaly Istomin, spoke on August 4 at a Helsinki Commission public briefing, chaired by Representative Chris Smith (R-NJ). During the session, the two religious activists presented their prepared statement and responded to numerous questions.

Both activists come from the devout Pentecostal community of Nakhodka, a Pacific coast city . Both men were leaders of its decade-long Pentecostal emigration campaign, and both were imprisoned for a total of 4 years for their religious and emigration activities. Perchatkin emigrated from the Soviet Union in July, while Istomin came to the United States in March.

Perchatkin and Istomin summed up the history of Soviet repression of the Nadhodka Pentecostal community: its members have been subjected to 80 trials, and have spent a total of 350 years in Soviet labor camps, where seven people died; four members were executed for their religious beliefs; and four sets of parents were forced by the authorities to place their children in orphanages. In addition, Leonid Litvinenko, Pavel Grigoryants, Nikolai Vins, and two other Pentecostals are still imprisoned because they refuse to request pardons.

Turning to the present situation, the activists noted that a record number of several thousand Soviet Pentecostals were allowed to emigrate to the West in 1988. Most Soviet Pentecostals emigrate on German or Israeli vyzovs. Only a few Pentecostals have managed to get out using American vyzovs which the Soviet authorities do not like to accept.

Under Soviet law, all religious organizations are required to register with the Soviet Government. The Pentecostals have been reluctant to do so; however, because registration requires the fulfillment of some conditions which violate their beliefs. Perchatkin and Istomin estimated that out of a total of 200,000 unregistered Pentecostals, some 70,000 seek to emigrate in order to escape religious persecution.

The Soviet state today still has an anti-religious ideology, as seen in the two anti-religious articles in the Criminal Code. Accordingly, for most Soviet Pentecostals, Gorbachev's reform program merely represents a brief breathing spell before the anti-religious drive is continued. In fact, they feel that even the current lull in repression is due only to Western pressure and publicity.

Perchatkin and Istomin have organized a Soviet Pentecostal emigration advocacy group in West Springfield, Massachusetts because they feel there is a need for a better support system for Soviet Pentecostals when they first arrive in the West.

Trial of "Ljubljana Four" Concludes

On July 27, a military court in Ljubljana, capital of the northern Yugoslav Republic of Slovenia, sentenced four individuals to prison terms ranging from 5 months to 4 years for revealing military secrets. All four, including an officer in the Yugoslav Army, a peace activist, and two editors of the Slovene journal *Mladina*, have been released, pending their appeal to a higher military court.

The trial stems from the appearance in the press of articles critical of the Yugoslav military which allege that the military had actually planned to intervene in Slovenia in order to arrest activists and suppress the Republic's movement toward greater liberalization. Rumors of a planned "coup" in response to what the Yugoslav military has called a "special war" against it by Slovenian activists and the press, led to considerable tension between republic, federal, and military authorities earlier this year.

In announcing the indictments on June 30, the military prosecutor stated that warrant officer Ivan Borstner, who had access to classified documents, made an unauthorized photocopy of a document concerning the organization, tasks, and combat readiness of "certain units" of the Yugoslav Armed Forces, and passed this document to a contributing editor of the Slovene journal *Mladina*, David Tasic. Tasic, in turn, shared the document with *Mladina's editor-in-chief, Franci Zavrl. Several additional copies were then made, one of which was given to peace activist Janez Jansa and found in a subsequent police search of Jansa's office desk on May 31. The military maintained that all knew of the secret classification of the document, even though Borstner had removed this classification from the copy. In a public statement the same day, Zavrl denied that he had ever possessed a military document, let alone "provided one to someone else." There have been allegations that the documents were planted.*

Borstner and Jansa were taken into custody in late May, and Tasic in June. Zavrl was the only one not in custody before or during the trial, which began on July 18 under the chief military judge of the Ljubljana military district. None of the defendants was permitted civilian defense counsel on the grounds that the case involved military secrets, and a civilian lawyer for Zavrl was physically evicted from the courtroom. The trial, conducted in Serbo-Croatian instead of Slovenian (translation was provided), was closed to all civilians, including the press, except for the defendants' immediate family.

Borstner received a 4-year prison sentence. Jansa, a founding member of the Slovene Peace Movement and member of the Slovene Youth League, was sentenced to 18 months imprisonment. Zavrl, who earlier this year was the subject of inconclusive republic and federal investigations for allowing the publication of an article critical of Yugoslav military sales, also received an 18 month sentence. Tasic, received a 5-month sentence.

The arrests, the trial and, then sentences led to large protests in Slovenia, including a silent protest of about 100 people during the trial, a protest of about 15,000 at a recreation center on Slovenia's national day, July 22, and a demonstration of about 10,000 outside the courtroom on the day the verdicts were announced. The Union of Writers of Slovenia likened the action to a martial law situation, and the Slovene Socialist Alliance formed a Committee for Human Rights in response to the arrests. At the opening of the trial, the Committee claimed that the trial proceedings were themselves illegal. The Slovene Youth League also protested the arrests, and the Lawyers Association of Slovenia called the denial of civilian defense counsels an "obvious breaking of the constitutionally established rights of citizens." It also protested the use of Serbo-Croatian instead of Slovenian in the proceedings.

The Presidency of Slovenian officially made a similar complaint to the Presidency of Yugoslavia, asking for its "urgent intervention" on the language issue. The Yugoslav Presidency maintained, however, that the use of Serbo-Croatian was constitutional in the military court, and the military court itself argued that closing the trial to the public, using Serbo-Croatian instead of Slovenian, and denying civilian counsel were all legally justified actions. The Interior Minister of Slovenia defended the actions of the civilian authorities in the original arrests.

In the larger context of the political and economic difficulties Yugoslavia faces, the trial and sentences may have broader implications for press freedoms and the general human rights situation in that country. Yugoslavia has seen an increase in popular unrest as a result of its economic problems, including not only worker's strikes but increased expression of nationalist sentiments as well. While Yugoslav human rights performance varies considerably among its republics and provinces, individuals are often arrested and imprisoned for "verbal crimes," especially expressions of nationalism. Slovenia, however, has been tolerating an increasingly broad range of dissenting ideas in the media. Nevertheless, while the trial in Ljuoljana focused specifically on the issue of media use of classified documents, it also reflected the concern of some authorities that public discussion of issues of general interest in Slovenia may sometimes exceed prudent limits.

Bulgarian Human Rights Group Seeks Official Recognition

A human rights group established last February in Bulgaria, the Independent Association for the Protection of Human Rights in Bulgaria, is seeking official recognition and registration as an independent human rights organization. Some 30 people are believed to support the organization, although only four individuals have openly associated themselves with it. The stated goal of the organization is to assist the regime in its declared aim to improve human rights conditions in Bulgaria. The group has called for the abrogation of clauses in the Penal Code which penalize human rights activity. The chairman of the group, Ilya Minev, a 70-year-old former political prisoner, met with participants of a visiting Congressional delegation led by Senator Claude Pepper in Sofia on September 20. Reportedly, Minev has subsequently been harassed by Bulgarian state security police. In February, Eduard Genov, another member of the group, was given a two-year internal exile term.

Romanian-Hungarian Dispute Intensifies

The summer of 1988 has witnessed a flare-up in the ongoing, bitter dispute between Romania and Hungary. Official relations between the two fraternal Socialist countries have long been decidedly cool, but never have their differences been aired in such a direct, angry and public manner as they have over the past several months. The dispute is highlighted by the presence in Hungary of over 10,000 Romanian citizens seeking at least temporary refuge.

The impetus to the latest round of antipathy is the Romanian regime's announced intention to accelerate the program of *sistematizarea*, or restructuring, in the countryside. The program calls for the destruction of 7,000 to 8,000 villages and the consolidation of their populations into "agro-industrial centers."

The program, which is already being implemented in the countryside surrounding Bucharest, is expected to affect up to 10 million people ultimately. While ethnic Romanians also will be forced to move from their ancestral homes in the villages; Hungarians, Germans and others see the rural *sistematizarea* program as a further assault on their already quickly diminishing opportunities to preserve and transmit their national cultures in Romania.

On June 27, an estimated 30,000 to 50,000 people gathered in central Budapest to protest the forced resettlement of the villagers. While the protest was organized by the independent Hungarian Democratic Forum, it was tacitly supported by Hungarian authorities, who called only for restraint.

Romanian authorities responded to the demonstration by ordering the closure of Hungary's consulate in Cluj-Napoca, Transylvania. The staff was told to leave the country within 48 hours. President Ceausescu and other official Romanian representatives have reacted angrily to Hungarian criticism, accusing the Hungarians of harboring irredentist aspirations.

For the past several years, independent activists in Hungary have publicized the mistreatment of Hungarians living in Romania. The Hungarian authorities were, for the most part, silent on this issue. But recently they have used international fora, including the Conference on Security and Cooperation in Europe, to highlight their growing concern over Hungarians in Romania.

In 1986, the Hungarian Academy of Sciences published a 3-volume history of Transylvania, which stressed the Hungarians' centuries-long presence in the region and refuted Romanian claims to a substantial historical presence there. The history drew livid reactions from the Romanians. At the Vienna Follow-Up Meeting of the CSCE, Hungary joined Canada in sponsoring a proposal to strengthen minority rights.

The Hungarian press has devoted much attention in the past year to Romanian minority issues. And this summer myriad Hungarian professional associations have called for an end to repressive Romanian policies. But Romanian authorities have shown no sign that they are about to modify the *sistematizarea* plan. An August meeting on the topic between President Ceausescu and Hungarian Party leader Karoly Grosz produced no results. At the very most, they have not closed the doors to Hungarian-Romanian talks in the future.

Ukrainian Rights Activist Arrested

Ivan Makar, a 30-year-old leader in the west-Ukrainian Democratic Front to Promote *Perestroika* was arrested on August 4, the day of a planned meeting of the group. He is being held responsible for organizing several public meetings this summer in the city of Lviv which attracted up to 50,000 people. Makar has been charged under art. 187-3 of the Ukrainian SSR Criminal Code: "organization of or active participation in group activities disrupting the peace." Over the last few months, authorities have intensified their criticism of Ukrainian rights activists in response to the growing number of unofficial public gatherings in western Ukraine.

Makar is the fourth person arrested under clearly political charges since the beginning of the Vienna CSCE Meeting in November 1986. Of the other three, Latvian Siverts Zholdins has been released, Armenian activist Paruir Airikian was expelled in July from the Soviet Union, and Latvian worker Modris Lujans is still under arrest under art. 190-1: "slander against the political and social system."

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